

**CALFRESH REQUEST FOR POLICY INTERPRETATION****PI# 17-73**

**INSTRUCTIONS:** Complete items 1 - 10 on the form. Use a separate form for each policy interpretation request. If additional space is needed, please use the second page. Retain a copy for your records and submit via email to CalFresh-PI@dss.ca.gov.

**Please note:** the policy interpretation provided is based on the unique set of facts presented and should not be assumed to apply in all scenarios.

1. RESPONSE NEEDED DUE TO:		5. DATE OF REQUEST:	NEED RESPONSE BY:
<input checked="" type="checkbox"/> Policy/Regulation Interpretation <input type="checkbox"/> QC <input checked="" type="checkbox"/> Other: Upcoming Hearing scheduled 9/26/17		09/13/2017	09/20/2017
2. REQUESTOR NAME:		6. COUNTY/ORGANIZATION:	
		Santa Barbara County	
3. PHONE NO.:		7. SUBJECT:	
EMAIL:		Collecting on Claims Mid-Period	
4. REGULATION CITE(S):		8. REFERENCES: (Include ACL/ACIN, court cases, etc. in references)	
63-801.4		NOTE: All requests must have a regulation cite(s) and/or a reference(s).	

## 9. QUESTION: (INCLUDE SCENARIO IF NEEDED FOR CLARITY):

Case is for an Elderly/Disabled individual with no earned income. Application date is April 2017 with a SAR 7 due in March of 2018, Cycle 4. The client has requested a Hearing due to a claim recoupment for a client error claim that started in 10/17 which is reducing his CalFresh allotment amount. There were no other actions taken on the case and the client was properly notified with 10-day notice that benefits would be reduced.

Is it correct for claim recoupment to start in the middle of the certification period?

## 10. REQUESTOR'S PROPOSED ANSWER:

Yes. Client received information regarding the amount owed, the type (IPV, IHE, or AE) and reason for the claim, the period of time the claim covers and how the claim was calculated in accordance to MPP 63-801.4.

## 11. STATE POLICY RESPONSE (CFPB USE ONLY):

CDSS disagrees with the county's proposed answer. Per MPP 63-801.737(a): "O/I allotment adjustment shall only be initiated at the beginning of a quarter. However, an allotment adjustment shall be discontinued mid-quarter as appropriate when the O/I has been recouped."

Also, Per ACL 12-25 (page 68): "However, recouping an OP/OI is not a county-initiated mid-period action, so the CWD may only initiate benefit adjustment/reduction in order to begin recoupment of an OP or OI at the beginning of a semi-annual period, unless it will not result in a decrease to benefits."

WEB

**FOR CDSS USE**

DATE RECEIVED:	DATE RESPONDED TO COUNTY/ALJ:
09/13/2017	09/18/2017